

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------|---|-------------|---------------------------|
| Applicant : | Peter Gernold | Art Unit : | 3621 |
| Serial No. : | 10/784,848 | Examiner : | Chrystina E. Zelaskiewicz |
| Filed : | February 24, 2004 | Conf. No. : | 9474 |
| Title : | GENERATING DATA SUBSCRIPTIONS BASED ON APPLICATION DATA | | |

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO FINAL OFFICE ACTION OF APRIL 29, 2010

In response to the action of April 29, 2010, applicant asks that all claims be allowed in view of the following remarks. Claims 1-6, 10-15, 19, and 25-31 are currently pending, of which claims 1, 10, and 19 are independent. This response is being filed concurrently with a Request for Continued Examination.

Double Patenting

Claims 1, 10, and 19 have been provisionally rejected as being unpatentable over claims 1, 7 and 15 of co-pending application U.S. Patent Application No. 10/784,196. A terminal disclaimer in compliance with 37 C.F.R. §§ 3.73(b) and 1.321(b) is being filed concurrently with this response. Therefore, for at least this reason, applicant respectfully requests reconsideration and withdrawal of the double patenting rejection.

Notably, the terminal disclaimer has merely been filed to expedite allowance of the claims of this application, and no substantive position should be attributed to its filing. Specifically, filing of the terminal disclaimer, while intended to obviate this rejection, does not represent acquiescence to any of the characterizations made in the office action of the currently pending claims of the present application and the claims of U.S. Patent Application No. 10/784,196 generally and with respect to each other, nor the characterizations of what was said to have been known or obvious to one of skill in the art.